



RECEIVED

OCT 25 2002

1615

TECH CENTER 1800/2900 MCP-0271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bunick & Luber

Serial No. : 09/752,601

Art Unit : 1615

Filed : 12/29/00

Examiner : J. Spear

Title : Soft Tabled Prepared by Post Compression Heating

10/Reg for
Recons
a/m
10-15-02

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner of Patents, Washington, D.C. 20231 on

Bel
10-31-02

October 15, 2002

(Date of Deposit)

Sharon E. Hayner

(Name of applicant, assignee, or Registered Representative)

(Signature)

October 15, 2002

(Date of Signature)

Honorable Commissioner of Patents
Washington, D.C. 20231

RESPONSE

Dear Sir:

This paper is in response to the Office Action of July 16, 2002. Reconsideration of the above-identified application is respectfully requested in view of the following remarks.

This application contains claims 1-23. Claims 1-13, 19 and 20 have been allowed. Claims 14-18 and 21-23, however, have been rejected as follows.

Claims 14-18 and 21-23 stand rejected under 35 U.S.C. §102(e) as anticipated by Danielson. These claims also stand rejected under 35 U.S.C. §102(b) as anticipated by Puglia. The Examiner cites Puglia at column 4, lines 25-48, column 5, lines 5-31, column 7, lines 3-40, example 1, column 8, lines 55-68. The Examiner argues these references disclose tablets comprising ingredients falling within claim 14.

Applicants disagree. As previously stated, Claim 14 requires the presence of a water-swallowable excipient that is at least partially hydrated. Although the Danielson and Puglia

Serial No. 09/752,601

patents disclose the use of water-swellaable excipients, i.e., microcrystalline cellulose, they do not disclose the use of water swellaable excipients that are at least partially hydrated.

Applicants respectfully request allowance of claims 1-23.

Respectfully submitted,

By: 

Sharon E. Hayner
Reg. No. 33,058

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2242
Dated: October 15, 2002